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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,501	03/26/2004	Kazuhiro Oki	8012-1240	7886
466 Young & Th	7590 07/18/2007 HOMPSON	EXAMINER		INER
745 SOUTH 23RD STREET			PADGETT, MARIANNE L	
2ND FLOOR ARLINGTON	VA 22202		ART UNIT	PAPER NUMBER
MCERTOTOR	, 11 2202		1762	
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	•	,	MAIL DATE	DELIVERY MODE
		•	07/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)				
	10/809,501	OKI ET AL.				
Office Action Summary	Examiner	Art Unit				
·	Marianne L. Padgett	1762				
The MAILING DATE of this communication app	ears on the cover sheet with the	correspondence address				
Period for Reply	/ IC CET TO EVOIDE 4 MONTH	I/C) OD TUIDTY (20) DAYC				
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be to the second will expire SIX (6) MONTHS from the cause the application to become ABANDON	NN. imely filed n the mailing date of this communication. ED (35 U.S.C. § 133).				
Status	•					
1) Responsive to communication(s) filed on 26 M	arch 2004.	. ,				
· _ · · · · · · · · · · · · · · · · · ·	action is non-final.					
· · · —	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under E	x parte Quayle, 1935 C.D. 11, 4	153 O.G. 213.				
Disposition of Claims						
4)⊠ Claim(s) <u>1-41</u> is/are pending in the application.						
4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.						
6) Claim(s) is/are rejected.						
7) Claim(s) is/are objected to.						
8) Claim(s) 1-41 are subject to restriction and/or	election requirement.					
Application Papers	·					
9) The specification is objected to by the Examine	r					
•	•	Evaminer				
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correct		* * * * * * * * * * * * * * * * * * * *				
11) The oath or declaration is objected to by the Ex	· · · · · · · · · · · · · · · · · · ·	·				
Priority under 35 U.S.C. § 119						
12)⊠ Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. & 119/	a)-(d) or (f)				
a)⊠ All b)□ Some * c)□ None of:						
1.⊠ Certified copies of the priority documents have been received.						
2. Certified copies of the priority documents have been received in Application No						
3. Copies of the certified copies of the prior	ity documents have been receiv	ved in this National Stage				
application from the International Bureau	ı (PCT Rule 17.2(a)).					
* See the attached detailed Office action for a list	of the certified copies not receiv	ed.				
		, ,				
Attachment(s)						
1) Notice of References Cited (PTO-892)	4)					
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08)	5) Notice of Informal					
Paper No(s)/Mail Date	6) Other:	•				

Art Unit: 1762

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-20, drawn to a method of drying a coated web moving in a vertical orientation under a high solvent vapor concentrations in an enclosed space with dependent claims directed to solvent recovery, classified in class 427, subclass 377+.
 - II. Claims 21-22, drawn to an apparatus for guiding a web to vertical then horizontal, in an enclosed space with dependent claim directed to downstream blow drying, classified in class 118, subclass 58+ (67).
 - III. Claims 23-37, drawn to a method of drying a coated substrate in an enclosed space employing having at most a 5°C temperature difference between entrance & exit of a drying device, which may be an infrared heater, classified in class 427, subclass 542.
 - IV. Claims 38-41, drawn to a drying device for a continuous substrate in an enclosed space capable of controlling the temperature difference between entrance & exit of the device to be at most 5°C, classified in class 118, subclass 58+ (61).
- 2. The inventions are independent or distinct, each from the other because:

Inventions group I and group II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another and materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus may be used for drying webs/continuous substrates that have no coating thereon, or webs that have solutions deposited thereon with other than organic solvents contained in the solution.

3. Inventions group III and group IV are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another and materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus may be

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used for drying webs/continuous substrates that have no coating thereon, or webs that have solutions deposited thereon with other than organic solvents contained in the solution.

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- 4. Inventions groups I & II and groups III & IV are directed to related processes & apparatus. The related inventions are distinct if the (1) the inventions as claimed are either not capable of use together or can have a materially different design, mode of operation, function, or effect; (2) the inventions do not overlap in scope, i.e., are mutually exclusive; and (3) the inventions as claimed are not obvious variants. See MPEP § 806.05(j). In the instant case, the inventions as claimed are directed to distinct limitations of vertical transport & high vapor concentration in groups I & II which do not overlap with groups III & IV, while these latter groups are directed to limited heat differentials, which do not overlap with the former groups. Furthermore, the inventions as claimed do not encompass overlapping subject matter and there is nothing of record to show them to be obvious variants.
- 5. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art due to their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

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6. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

7. A telephone call was made to Robert patch on 7/11/2007 to request an oral election to the above restriction requirement, but did not result in an election being made.

The examiner was informed that the firm's policy was to require/request restriction requirements be mailed.

- 8. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marianne L. Padgett whose telephone number is (571) 272-1425. The examiner can normally be reached on M-F from about 8:30 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks, can be reached at (571) 272-1423. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MLP/dictation software

7/11/2007

MARIANNE PADGETT PRIMARY EXAMINER